

DECLARATION AND POWER OF ATTORNEY FOR PATENT APPLICATION

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below, next to my name.

I believe I am the original, first, and sole inventor (if only one name is listed below) or an original, first, and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled

ELECTRONIC COMMERCE PRODUCT PRICING AND SELECTION SYSTEM AND METHOD

the specification of which

X is attached hereto.
_____ was filed on _____ as
_____ United States Application Number _____
_____ or PCT International Application Number _____
_____ and was amended on _____
(if applicable)

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claim(s), as amended by any amendment referred to above. I do not know and do not believe that the claimed invention was ever known or used in the United States of America before my invention thereof, or patented or described in any printed publication in any country before my invention thereof or more than one year prior to this application, that the same was not in public use or on sale in the United States of America more than one year prior to this application, and that the invention has not been patented or made the subject of an inventor's certificate issued before the date of this application in any country foreign to the United States of America on an application filed by me or my legal representatives or assigns more than twelve months (for a utility patent application) or six months (for a design patent application) prior to this application.

I acknowledge the duty to disclose all information known to me to be material to patentability as defined in Title 37, Code of Federal Regulations, Section 1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, Section 119(a)-(d), of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

<u>Prior Foreign Application(s)</u>			<u>Priority Claimed</u>	
_____ (Number)	_____ (Country)	_____ (Foreign Filing Date)	Yes	No
_____ (Number)	_____ (Country)	_____ (Foreign Filing Date)	Yes	No
_____ (Number)	_____ (Country)	_____ (Foreign Filing Date)	Yes	No

I hereby claim the benefit under Title 35, United States Code, Section 119(e) of any United States provisional application(s) listed below:

Application Number	(Filing Date)
Application Number	(Filing Date)

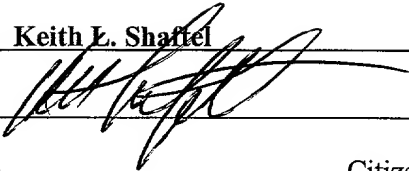
I hereby claim the benefit under Title 35, United States Code, Section 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, Section 112, I acknowledge the duty to disclose all information known to me to be material to patentability as defined in Title 37, Code of Federal Regulations, Section 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application:

Application Number	Filing Date	Status -- patented, pending, abandoned
Application Number	Filing Date	Status -- patented, pending, abandoned

I hereby appoint the persons listed on Appendix A hereto (which is incorporated by reference and a part of this document) as my respective patent attorneys and patent agents, with full power of substitution and revocation, to prosecute this application and to transact all business in the Patent and Trademark Office connected herewith.

Send correspondence to Justin M. Dillon, Reg. 42,486, BLAKELY, SOKOLOFF TAYLOR & ZAFMAN LLP, 12400 Wilshire Boulevard 7th Floor, Los Angeles, California 90025 and direct telephone calls to Justin M. Dillon, Reg. 42,486, (512) 330-0844.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

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Inventor's Signature  Date 7-20-01
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(City, State) (Country)

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Full Name of Second Joint Inventor Jeffrey R. Whatcott
Inventor's Signature _____ Date _____
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10/20/01 10:00 AM

APPENDIX A

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APPENDIX B

Title 37, Code of Federal Regulations, Section 1.56 Duty to Disclose Information Material to Patentability

(a) A patent by its very nature is affected with a public interest. The public interest is best served, and the most effective patent examination occurs when, at the time an application is being examined, the Office is aware of and evaluates the teachings of all information material to patentability. Each individual associated with the filing and prosecution of a patent application has a duty of candor and good faith in dealing with the Office, which includes a duty to disclose to the Office all information known to that individual to be material to patentability as defined in this section. The duty to disclosure information exists with respect to each pending claim until the claim is cancelled or withdrawn from consideration, or the application becomes abandoned. Information material to the patentability of a claim that is cancelled or withdrawn from consideration need not be submitted if the information is not material to the patentability of any claim remaining under consideration in the application. There is no duty to submit information which is not material to the patentability of any existing claim. The duty to disclose all information known to be material to patentability is deemed to be satisfied if all information known to be material to patentability of any claim issued in a patent was cited by the Office or submitted to the Office in the manner prescribed by §§1.97(b)-(d) and 1.98. However, no patent will be granted on an application in connection with which fraud on the Office was practiced or attempted or the duty of disclosure was violated through bad faith or intentional misconduct. The Office encourages applicants to carefully examine:

- (1) Prior art cited in search reports of a foreign patent office in a counterpart application, and
- (2) The closest information over which individuals associated with the filing or prosecution of a patent application believe any pending claim patentably defines, to make sure that any material information contained therein is disclosed to the Office.

(b) Under this section, information is material to patentability when it is not cumulative to information already of record or being made or record in the application, and

- (1) It establishes, by itself or in combination with other information, a prima facie case of unpatentability of a claim; or
- (2) It refutes, or is inconsistent with, a position the applicant takes in:
 - (i) Opposing an argument of unpatentability relied on by the Office, or
 - (ii) Asserting an argument of patentability.

A prima facie case of unpatentability is established when the information compels a conclusion that a claim is unpatentable under the preponderance of evidence, burden-of-proof standard, giving each term in the claim its broadest reasonable construction consistent with the specification, and before any consideration is given to evidence which may be submitted in an attempt to establish a contrary conclusion of patentability.

(c) Individuals associated with the filing or prosecution of a patent application within the meaning of this section are:

- (1) Each inventor named in the application;
- (2) Each attorney or agent who prepares or prosecutes the application; and
- (3) Every other person who is substantively involved in the preparation or prosecution of the application and who is associated with the inventor, with the assignee or with anyone to whom there is an obligation to assign the application.

(d) Individuals other than the attorney, agent or inventor may comply with this section by disclosing information to the attorney, agent, or inventor.

Parameter	Value	Unit
Temperature	25.0	°C
Pressure	1.0	atm
Flow rate	1.0	L/min
Concentration	0.1	mol/L
pH	7.0	
Wavelength	254	nm
Scan rate	10	nm/min
Integration time	10	s
Resolution	0.5	nm
Slit width	1.0	mm
Detector	Photodiode array	
Software	Chromatography	
Hardware	PC/AT	
Manufacturer	Shimadzu	
Model	10A	
Year	1990	
Location	University of Tokyo	
Address	7-3-1 Hongo, Bunkyo-ku, Tokyo 113	
Country	Japan	
Phone	03-5687-1234	
Fax	03-5687-5678	
E-mail	abc@defg.hij	
Web	http://www.abc.defg.hij	
Postcode	113-8654	
City	Tokyo	
State	Bunkyo-ku	
Country	Japan	
Language	English	
Version	1.0	
Release	1990	
Copyright	© 1990 Shimadzu	
License	Shimadzu License	
Support	Shimadzu Support	
Training	Shimadzu Training	
Documentation	Shimadzu Documentation	
Manuals	Shimadzu Manuals	
Books	Shimadzu Books	
Journals	Shimadzu Journals	
Articles	Shimadzu Articles	
References	Shimadzu References	
Citations	Shimadzu Citations	
Keywords	Shimadzu Keywords	
Subjects	Shimadzu Subjects	
Descriptors	Shimadzu Descriptors	
MeSH	Shimadzu MeSH	
Indexing	Shimadzu Indexing	
Classification	Shimadzu Classification	
Organization	Shimadzu Organization	
Structure	Shimadzu Structure	
Function	Shimadzu Function	
Properties	Shimadzu Properties	
Characteristics	Shimadzu Characteristics	
Features	Shimadzu Features	
Advantages	Shimadzu Advantages	
Disadvantages	Shimadzu Disadvantages	
Applications	Shimadzu Applications	
Uses	Shimadzu Uses	
Methods	Shimadzu Methods	
Techniques	Shimadzu Techniques	
Procedures	Shimadzu Procedures	
Protocols	Shimadzu Protocols	
Standards	Shimadzu Standards	
Specifications	Shimadzu Specifications	
Parameters	Shimadzu Parameters	
Variables	Shimadzu Variables	
Constants	Shimadzu Constants	
Factors	Shimadzu Factors	
Effects	Shimadzu Effects	
Impacts	Shimadzu Impacts	
Consequences	Shimadzu Consequences	
Results	Shimadzu Results	
Findings	Shimadzu Findings	
Conclusions	Shimadzu Conclusions	
Recommendations	Shimadzu Recommendations	
Suggestions	Shimadzu Suggestions	
Comments	Shimadzu Comments	
Notes	Shimadzu Notes	
Remarks	Shimadzu Remarks	
Observations	Shimadzu Observations	
Measurements	Shimadzu Measurements	
Calculations	Shimadzu Calculations	
Formulas	Shimadzu Formulas	
Equations	Shimadzu Equations	
Relationships	Shimadzu Relationships	
Interactions	Shimadzu Interactions	
Correlations	Shimadzu Correlations	
Trends	Shimadzu Trends	
Patterns	Shimadzu Patterns	
Behaviors	Shimadzu Behaviors	
Responses	Shimadzu Responses	
Reactions	Shimadzu Reactions	
Transformations	Shimadzu Transformations	
Modifications	Shimadzu Modifications	
Adjustments	Shimadzu Adjustments	
Calibrations	Shimadzu Calibrations	
Verifications	Shimadzu Verifications	
Validations	Shimadzu Validations	
Confirmations	Shimadzu Confirmations	
Assertions	Shimadzu Assertions	
Statements	Shimadzu Statements	
Declarations	Shimadzu Declarations	
Announcements	Shimadzu Announcements	
Notifications	Shimadzu Notifications	
Alerts	Shimadzu Alerts	
Warnings	Shimadzu Warnings	
Errors	Shimadzu Errors	
Exceptions	Shimadzu Exceptions	
Failures	Shimadzu Failures	
Problems	Shimadzu Problems	
Issues	Shimadzu Issues	
Concerns	Shimadzu Concerns	
Questions	Shimadzu Questions	
Answers	Shimadzu Answers	
Solutions	Shimadzu Solutions	
Recommendations	Shimadzu Recommendations	
Suggestions	Shimadzu Suggestions	
Comments	Shimadzu Comments	
Notes	Shimadzu Notes	
Remarks	Shimadzu Remarks	
Observations	Shimadzu Observations	
Measurements	Shimadzu Measurements	
Calculations	Shimadzu Calculations	
Formulas	Shimadzu Formulas	
Equations	Shimadzu Equations	
Relationships	Shimadzu Relationships	
Interactions	Shimadzu Interactions	
Correlations	Shimadzu Correlations	
Trends	Shimadzu Trends	
Patterns	Shimadzu Patterns	
Behaviors	Shimadzu Behaviors	
Responses	Shimadzu Responses	
Reactions	Shim	

My residence, post office address and citizenship are as stated below, next to my name.

ELECTRONIC COMMERCE PRODUCT PRICING AND SELECTION SYSTEM AND METHOD

X is attached hereto.
_____ was filed on _____ as

United States Application Number _____

or PCT International Application Number _____

and was amended on _____.

(if applicable)

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<u>Prior Foreign Application(s)</u>			<u>Priority Claimed</u>	
<u>(Number)</u>	<u>(Country)</u>	<u>(Foreign Filing Date)</u>	<u>Yes</u>	<u>No</u>
<u>(Number)</u>	<u>(Country)</u>	<u>(Foreign Filing Date)</u>	<u>Yes</u>	<u>No</u>
<u>(Number)</u>	<u>(Country)</u>	<u>(Foreign Filing Date)</u>	<u>Yes</u>	<u>No</u>

I hereby claim the benefit under Title 35, United States Code, Section 119(e) of any United States provisional application(s) listed below:

Application Number	(Filing Date)
Application Number	(Filing Date)

I hereby claim the benefit under Title 35, United States Code, Section 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, Section 112, I acknowledge the duty to disclose all information known to me to be material to patentability as defined in Title 37, Code of Federal Regulations, Section 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application:

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Application Number	Filing Date	Status -- patented, pending, abandoned

I hereby appoint the persons listed on Appendix A hereto (which is incorporated by reference and a part of this document) as my respective patent attorneys and patent agents, with full power of substitution and revocation, to prosecute this application and to transact all business in the Patent and Trademark Office connected herewith.

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I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

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Inventor's Signature _____ Date _____

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FILED